G. R. S. IX-5]

Previous references.

File No. 266.16

1916.17
(Courts)

Serial Nos. 1–4

Later references.
Ch 36-17(1-5)
Ch 160-87(156)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–4

Part B for May 1917

SUBJECT.

Holding a Competitive examination for the Selection of Munsiffs in September 17 and the question whether 4 Munsiffs are fit for it.

To, The Registrar Chief Court

No J 3851 7th May 17

Directs that no competitive examination for the selection of Munsiffs need be held until the occurrence of permanent vacancies.

W D 88—GPB—50,000—24-7-16

Majaraswamy
24.7.17

G. R. S. 11] 1916.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 266-16

FILE HEADING.

Holding a competitive examination for the Selection of Munsiffs in Sep 17 and the question whether acting Munsiffs are to Sit for it

From

The Registrar Chief Court

No. 420 Dated 9/10 Feb 17 Received 12/13 Feb 17

Diary No. 1813 | Enclos. — Spare Copies. | Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that the judges have decided to hold the examination in Sep 17 & that the necessary notifn inviting applications for four vacancies will be published; requests that a Medical Board may be appointed for examining the candidates and enquires if acting Munsiffs are to Sit for the examinatn

NOTES AND ORDERS.

7 It is a matter for consideration if it is necessary to hold an examination this year as there are no permanent vacancies at present and there is no likelihood of their being any in the near future. From the statement put up it will be seen that the three permanent vacancies have been ordered to be

NOTES—First Sheet.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2)

General and Revenue Secretariat. | File No. 266 of 1916.

Serial No.

File in Council Section

to be reserved for three Munsiffs who are to be regarded as on probation, while the rest are of temporary character as likely to cease on not. A reference to the Civil list will show that ordinarily there will not be a permanent vacancy till 1918.

2) As regards the last para of the Registrar's letter it is noted that the nomination of Mr Ramachandra Sastry has been approved by Govt only as a temporary measure.

File in connection

Submitted for orders.

13/4(1)

3) There are now 3 permanent vacancies and three temporary vacancies, under the recent order of Govt, Messrs Abdul Gani, Jagannatha Mudaliyar and Nagabhushanam have been appointed on probation and declared entitled to confirmation at the end of 2 years. Apparently this order seems to imply that they are not to pass any test and are entitled to confirmation by mere efflux of time. There being thus no permanent vacancy the necessity for a competitive examination to dept is not clear. There is also no chance of vacancy for some time to come. The Judicial Reorganisation also to be found a place at least by the end of this year.

File in Council Section

4) The G.O. of 25th Jan 1917 prescribing this competitive Examination does not

V g 2648 dt 19-9-14 4 dt 25-1-1917

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

1813

G. R. S.

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G. R. S. III-2

General and Revenue Secretariat.

Cls File No. 266 of 1916

3

Serial No.

case of acting Managers. They are not expressly exempted from passing the examination. But as provided for by the Chief Court, their nomination being approved by Govt, it may perhaps be contended that they are entitled to confirmation. But even that contention can not apply to the cases one (like Mr Ramachandra Sastry) where appointment has not been finally approved by Govt.

Submitted for favourable orders.

EB
13/2

Sd/ As the letter seems to imply local notification with unpublished short, draft enquiring as to how the vacancies are expected to occur in the near future is submitted for approval, pending final orders on the above points.

EB
13/2

Dist. Magistrate Cuddapah - The registered cover

(1) Shaw consulted the Secretary also as to this point and he approves of the course proposed.

1849
14/2

(2) To save time this procedure was adopted

14/2 & the Govt. being moved accordingly

14/2

14/2

3.15

NOTE-

NOTE—Contn. sheet.

1857

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat. | File No. 266 of 1916.

4

Serial No.

2 To The Registrar Ch Court
no D 2937 14th: Feb: 1917
Enquires how it is expected that there will be four vacancies in the near future.
From The Registrar Ch Court
no R.O.S.C 420 14/15 th: Feb: 1917
States that the Judges have fixed the number of vacancies that may happen every year as two and as the examination is held once in two years the probable number of vacancies for two years is put down as four, and that it is apprehended that acting vacancies are to be filled from candidates who have passed the examination as well as permanent ones.
10) Submd for orders.

11) The Chief Court do not say that there is any permanent vacancy; nor do they point out as to how there is likely to be any vacancy in the next year. The average taken is not conclusive, and does not include the three months appointments on probation in January.

12) There is only one temporary appointment to fill up the place now occupied by Lala Ramachandra Sarkar. There are [illegible]

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | Cts File No. 266 of 1916. 5

Serial No.

acting men (Mr S.R. Ramaswamier and Mr. M.D. Thirumalachar) who will have to be exempted if the recommendation of the chief Court is approved. The case of the Judicial Probationers has also to be taken into consideration in this connection. Then as against 3 temporary vacancies, there are 2 Munsifs who are already acting for a long time and whose nominations have been approved by Govt. There is only one temporary vacancy, which has to be filled up if Mr Ramachandra Sastry is not permitted to continue. In connection with this I propose a point for orders whether the vacancies can be announced as firm and whether there is any necessity for examination in Sep.

Submitted for favour of kind orders.

Dist Secy)

15) This proposal is sure to lead to additional expenditure. The procedure followed in regard to the Civil Service seems to be the cheetone. Acting arrangements alone are made therein pending results of C.S. Exam & confirmation of probationers. Hon.

16) Forwarded to the Fin Secy for favour of opinion.

Secy

17) The opinion of the Addl Branch is correct.

NOTE—Contn. sheet.

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | C5 File No. 266 of 1916.

6

Serial No.

Competitive examination held for selecting Candidates to fill substantive appointments, and acting otherwise under G.O. 25.1.17, the Candidate or Candidates who pass successfully are entitled to claim such appointments.

The no: of permanent vacancies will have to be notified before holding the examination vide para 2 (b).

(b) The GO cannot be understood to cover the cases of acting or temporary vacancies as observed by the Chief Court, as in the nature of things there can be no definiteness either in the no: of such vacancies or their duration. Such an interpretation will involve also ~~difficulties~~ difficulty in practical working regarding the ~~final~~ selection of Candidates who have once competed successfully, but have ceased to hold the appointment on the expiry of the temporary appointments. In any case there is no justification for the additional expenditure involved. HB 26/2/17

H No 1911 of 16. (Secretary) in holding examinations for possible temporary vacancies.

(17) I agree that no test need be held until permanent vacancies are in sight.

GR 28/2

(18) If however it is made clear

NOTE—Contn. sheet.

1857

ND 1203—G1PB—6C,CCC—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | Cts File No. 266 of 1916-17

Serial No.

A.

that the first four selected will have no claim to continuous appts from the beginning but will only act as opportunities occur until they are confirmed, then there is no objn to the proposal of the Chief Court (Rly Br. III). 16/1/17

Fl. No 1911 of 16.

Secy 4/3

Secy (i) The proposal at A will not tend to induce the best men to compete for the Examination. Hence the procedure followed in regard to the Civil service appointments appears to be the best in the interests of efficiency. No Competitive Examination is necessary in the absence of permanent vacancies. Acting vacancies can always be filled from the consolidated list of candidates qualified for the post of Munsifs which the Chief Court have been required to maintain.

Douglas 2/3/17

First member (ii) It is perhaps best to consider this question at the next meeting of the Council, after circulation.

2/3

2/3

2/3

3/3

NOTE—Contn. sheet.

No. C. 177

(For disposal at the next meeting) 5-3 1917

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause xiv of the Schedule)

Question of holding a competitive Examination in September 1917 for the selection of Munsiffs.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasimha Rao

3rd March ..... 1917. *Secretary to Government.* 3/3

Extraordinary Member of Council.

First Member of Council. seen.

T22 5.3.17. **Second Member of Council.**

WD 2012—GPB—1 000—9-2-16

Extract from the Proceedings of the 414th Meeting of the Council of His Highness the Maharaja, held at Bangalore, on the 31st March 19 17.

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7. Subject.- (Clause xiv of the schedule.)

Question of holding a competitive examination in September 1917 for the selection of Munsiffs.

OPINION OF THE COUNCIL.

(1) No competitive examination for selection of Munsiffs need be held until permanent vacancies occur.

(2) Acting vacancies may be filled and temporary appointments of Munsiffs made as heretofore from the list of eligible candidates now maintained under orders of Government.

"EXTRACT"

Secretary to Government,
General Department.

WD—156—GPB—1,000—19-7-16

1857

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | C/S File No. 266 of 1916.

Serial No.

24) To the Assistant Secretary, Br. III, for kindly submitting the file to the First Member of Council, with a draft Final Note.

Draft
12/4
Dewan
12/4

25) D.F.N and D.S.N put up. Kind attention is respectfully invited to paragraphs 25 & 30 of the notes in Comb's file 151-16 regarding the question of acting Munsifs having to sit for the examination. It is a matter for consideration if any mention thereof is to be made in the D.F.N. put up or if the question is to be dealt with later on.

12/4/17 Addl.

26) The question of acting Munsifs was also raised by the Chief Comb. as to his proposal that an examination in Dep. Bord. as there will be no examination in the immediate future, it does not apparently seem necessary for Govt. to decide the question just at present.

27) Submitted with a draft Final Note.

Dewan
11/4

First Member

28) Yes. It is so. Prepare the Final Note.

12/4

Read 12/4/17

29) Fair final note signed by the First Member is put up. with a D.S.N

Dewan 12/4

2683/12-4-17
5930/14-4-17

NOTE—Contn. sheet.

12/4/17 Dewan

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Courts File No. 266 of 1916.

Competitive Rd^s for Municipts —

Serial No. 31

Dewan's order on the draft submission note: —

Please bring up after issue of orders when received from His Highness. 21.4.17.

HR

OTE—Contn. sheet.

Submitted to His Highness.

P 23/11 *I submit herewith a Final Note by the* First *Member of Council on the subject of* holding a competitive examination in September 1917 for recruiting to the grade of Munsiffs , *for His Highness' gracious approval.*

M. Krishnaraja
Dewan.
22nd Apr. 1917

Final Note by the First Member of Council.

Subject:—

Question of holding a competitive examination in September 1917 for the selection of Munsiffs.

Paper under discussion

(1) In Government Proceedings No. J 2643/cts.199-14-4 dated 25th January 1917 a scheme for recruitment to the grade of Munsiffs by competitive examinations was sanctioned. The Judges of the Chief Court propose to hold an examination in September 1917 and they request Government to appoint a Medical Board for examining the candidates.

(2) There are at present three permanent and three temporary vacancies in the cadre of Munsiffs. The former are to be regarded as being reserved for the three acting Munsiffs whose tenure of appointment has, in G.O.No.J2640-1/cts.34-16-8 dated 25th January 1917 been ordered to be treated as on probation subject to confirmation at the end of two years from date of appointment. No permanent vacancies are likely to occur in the near future in the ordinary course. Thus there remain only 3 temporary vacancies. Besides the Judicial Probationer recently appointed has to be provided with a place. The Chief Court were therefore requested to defer the publication of the notice inviting applications pending orders of Government.

* Messrs. Abdul Gani, T. Singaravelu Mudaliar & C.B. Nagabhushana Rao.

W J 2937 cts 2.66-16-2

(3) The subject was considered at a meeting of the Council who are of opinion that no competitive examination for the selection of Munsiffs need be held until permanent vacancies occur and that acting vacancies and temporary appointments of Munsiffs may be made as heretofore from the list of eligible candidates now maintained under orders of Government.

Page 2 of the Note

Member

12 Ex. Apl (917)

C. 177 (Judl.)

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Question of holding a competitive examination for recruiting to the grade of Munsiffs.

Order.

~~KRW~~
27/4/17

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat. | CS File No. 266 of 1916-17

Serial No.	
35	Submitted with a draft G.O. mgu 3.5.17 Ntl Infavour approval SB 4/5.
	First Member) Draft approved by the Members 2935/4/5 SB 4/5/17 Done SB 4/5
4	To The Registrar Sch. Court No 3851 4th May 17 Directing that no competitive examination for the selection of munsifs need be held until the occurrence of permanent vacancies
	The file is resubmitted as directed by the Dewan on the Draft-Submission Note. mgu 19.5.17 Ntl SB 19/5
	Secy) Record & send the file to Mr B.U of Accs Done 24/5

Vide flag W

NOTE—Contn. sheet.

R.O.S.C. No: 420.

Chief Court of Mysore,

Bangalore, dated the 9th February 1917.

GEN. & REV. SECRETARIAT
5-10 2 M
12 FEB 1917
JUDICIAL
12 FEB 1917

From

N.T.Gopaliengar, Esq., B.A., LL. B.,
Registrar of the Chief Court of Mysore.

To

D.M.Narasinga Rao, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
General Department.

S i r ,

Adverting to Government Order No.J.2643/Cts. 199-14-4 dated the 25th January 1917 prescribing a competitive examination for the selection of candidates for the posts of Munsiffs, I am directed to state that the Judges have decided to hold the first examination in the Chief Court premises in the month of September 1917 on Monday the 17th and the succeeding days. The necessary notification inviting applications by the 15th March 1917 for the new examination will be published in the Gazette and the number of acting and permanent vacancies likely to occur within two years following the date of the examination based on the past average will be notified as four. Since the approved candidates have to present themselves for examination before a Medical Board in accordance with paragraph 4 of the Government Order, I am to request that the Government may be pleased to appoint a Medical Board to examine the candidates by a date to be fixed by this Court of which due notice will be given.

I am to enquire whether persons who are already acting as Munsiffs have to sit for the examination.

Judges

Judges, however, are of opinion that they ought not to sit inasmuch as they, having been nominated with the approval of the Government, must be deemed to have been duly selected as candidates for appointments subject, of course, to their giving satisfaction.

I have the honor to be,

S i r ,

Your most obedient servant,

R E G I S T R A R .

CS.

HCC.

G. R. S. 26]

C/S File No. 266-16

Serial No. 2

Diary No. of letter replied to .....

No. 2937

General and Revenue Secretariat

( )

, *the* 191 .

To

The Registrar, Chief Court

Sir

Date of issue 14/2/17

Signed by Mr G. Srinivasa Iyer

Adverting to your letter R.O.S.C No 4208 of 9 Feb 1917 stating that the judges have decided to hold an examination for the selection of Munsiffs in September next & that the number of vacancies likely to occur will be notified as soon I am directed to observe that, according to G.O. No J. 2640-1 of 25th Jan 1917. the nine permanent vacancies which now exist in the cadre of Munsiffs, will be reserved for have to Messrs Abdul C. Sami, T. Singaravelu

over.

SUBJECT.

Mudaliar + Mr P. B. Nagabhushana Rao, who are to be treated as on probation subject to confirmation at the end of two years from date of appointment, and that it is not clear how few vacancies are expected to occur and therefore to request that pending further orders of Govt. the publication of the notification inviting applications may be delayed.

to enquire how it is expected that there will be few vacancies in the near future

I have &c

14/2

for Secy

13/2/14

List of enclosures

Copied by

Examined by

GPE—20,000—10-10-14

41857

R. O. S. C.No.420.

Chief Court of Mysore,
Bangalore, 14th February 1917.

From

N. T. GOPALIENGAR, Esq., B. A., LL. B.,
Registrar of the Chief Court of Mysore.

To

D. M. NARASINGA RAO, Esq., B. A., B. L.,
Secretary to the Government of Mysore,
General Department.

Sir,

In reply to your letter No. J.2937/Cts.266-16-2 of this date, I am directed to state that the Judges have taken the average of the past six years and on that calculation, have fixed the number of vacancies that may happen every year as two, and as the Munsiffs' examination is held once in two years, the probable number of vacancies and not the actual number for two years is put down as four. It is apprehended that acting vacancies are to be filled from among the candidates who pass the examination as well as permanent ones.

I have the honor to be,
S i r,
Your most obedient servant,

REGISTRAR.

M. S. C.

2 95

G.R.S. VI-71]

SUBJECT... Directing that the Competitive Examinations for the Selection of Munsiffs must be held while the occurrence of permanent vacancies...

Diary No. of letter replied to.....

Section Courts
File No. 266-16
Serial No. 4

General and Revenue Secretariat
( )
, the 191 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue..... 7/3/17

Signed by... M. G. Srinivasa

Read.— G.O. No. J. 2643/Cts 199-144 dated 25th January 1917 Sanctioning a scheme for holding a Competitive Examination for recruitment to the grade of Munsiffs.

2. Letter R.O.S.C. No. 420 dated 9th/10th February 1917 ~~Order Thereon:—No.~~ from the Registrar, Chief Court, stating that the Judges propose to hold the first competitive Examination in September 1917

over.

May this be

i printed? P.W.D

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the Press?

vi published in the Gazette Kannada part?

and requesting the Government to appoint a Medical Board for examining the candidates.

3. Correspondence ending with letter R.O.S.C. No. 420 dated 14/15th February 1917 from the same officer.

Order No. J 3857 Dated

Government direct that no competitive examination need be held until permanent vacancies occur in the cadre of Munsiffs, that acting vacancies may, however, be filled up, & temporary appointments of Munsiffs made, as heretofore from the list of eligible candidates now maintained by the Chief Court under orders of Government.

List of enclosures.

4/5

Copied by

Examined by

By order &c
Secy. to Govt.
G.D.

To The Registrar, Chief Court of Mysore.

3-5-17